

THE HONORABLE RICARDO S. MARTINEZ

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JONATHAN BERALL, M.D., M.P.H.,

Plaintiff,

v.

VERATHON INC.,

Defendant.

Case No. 21-cv-00944-RSM

STIPULATED MOTION TO EXTEND
DEADLINES TO SERVE EXPERT REPORTS
REGARDING MARKMAN ISSUES AND
ORDER

NOTE ON MOTION CALENDAR:
December 30, 2021

STIPULATED MOTION TO EXTEND DEADLINES TO
SERVE EXPERT REPORTS REGARDING MARKMAN
ISSUES
(Case No. 21-cv-00944-RSM)

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Defendant Verathon Inc. (“Verathon”) and Plaintiff Jonathan Berall, M.D., M.P.H. (“Dr. Berall”) (together, the “Parties”) hereby file this stipulated motion pursuant to Local Rules 7(d)(1) and 10(g):

The Parties’ deadline to serve opening expert reports on Markman issues is Tuesday, January 4, 2022, and the Parties’ deadline to serve rebuttal expert reports on Markman issues is February 7, 2022. Counsel for Dr. Berall and his patent attorney, Mr. Charles Baxley, has and is producing documents today that relate to the prosecution of the patent asserted in this case. Verathon believes these documents are likely to be relevant to said expert reports that regard claim construction. Dr. Berall believes the documents are not relevant to claim construction or any expert analysis of claim construction issues, but is nevertheless unopposed to a one-week extension given the holiday week and as a professional courtesy. The Parties accordingly agree and stipulate to a one-week extension of the deadlines to serve expert reports on Markman issues as set forth below, and respectfully request that the Court grant this stipulated motion.

<u>Deadline</u>	<u>Original Date</u>	<u>Proposed New Date</u>
Reports from expert witnesses regarding <i>Markman</i> issues due	January 4, 2022	January 11, 2022
Rebuttal expert reports regarding <i>Markman</i> issues due	February 7, 2022	February 14, 2022

SO STIPULATED.

DATED this 30th day of December, 2021.

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STIPULATED MOTION TO EXTEND DEADLINES TO
SERVE EXPERT REPORTS REGARDING MARKMAN
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ORDER

This matter comes before the Court on the Parties' Stipulated Motion to Extend Deadlines to Serve Expert Reports Regarding *Markman* Issues. After considering the Parties' Stipulated Motion, IT IS HEREBY ORDERED THAT reports from expert witnesses regarding *Markman* issues shall be due on January 11, 2022, and rebuttal reports from expert witnesses regarding *Markman* issues shall be due on February 14, 2022.

IT IS SO ORDERED.

DATED this 3rd day of January, 2022.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

Presented by:

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